

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, FEBRUARY 11, 2021

Presiding: Mayor Steven Adams

Meeting Via Internet and at City Hall Convened at 6:30 p.m.

Prayer: Councilwoman Ball

Pledge of Allegiance: Councilwoman Nielsen

Present at City Hall and Online: Mayor Steven Adams; Clerk-Treasurer Wendy McLaughlin; Councilors Joy M. Ball, Glenn Dayley, Connie Fogle, and Catherine Nielsen; Public Works Director Arlynn Jacobson; City Building Inspector and P&Z Administrator Quinton Owens; City Engineer Dick Dyer; Chairman Dave Thompson of the Planning and Zoning Commission; Attorney Chase T Hendricks; Old Farm Estates Developer Jeff Lerwill; Citizens Mychelle Eaton, Kurt Hibbert, Lawrence Nielsen, Dave Ogden, Mariah Willis and others who joined electronically but not identified.

**CONSENT AGENDA:**

**Minutes 1-28-2021 –**

**Review Payment Report –**

**Treasurer's Report –** removed Beehive Bank Statement

**MOTION:** It was moved by Councilwoman Fogle and seconded by Councilwoman Nielsen to approve the Consent Agenda; motion carried.

**MOTION:** It was moved by Councilwoman Nielsen and seconded by Councilwoman Fogle to approve the Beehive Bank; motion carried.

**PUBLIC WORKS REPORT:** Arlynn Jacobson reported on the following items:

**Water Project:** Mr. Jacobson reported that we are still waiting on the SCADA system to be installed.

**Eastern Idaho Health District Park Grant:** The city was awarded \$2,500 and will use the money to install metal benches in Heritage, Neibaur, and Smith Parks.

**Snow Removal:** The public works department has put in extra effort to make sure the roads are cleared of snow and ice after receiving several complaints. It has been an unusual winter weather pattern for snow plowing - freezing and thawing.

**PLANNING AND ZONING REPORT:** Dave Thompson reported on the following items.

**Old Farm Estates Development Agreement:** Planning and Zoning wants more time to review the development agreement before setting a public hearing date. The mayor encouraged the commission to move forward.

**Highway 33 Business Annexation:** A public hearing date was set for March 4 for the Highway 33 Business annexations.

**Comprehensive Plan Survey:** The commission will have the survey available to the public on the city's website by tomorrow morning. IP addresses will be tracked for fair responses.

**Brett Stoddard Storage Units and Land Swap:** The application will need to go back to Planning and Zoning for changes.

**Plat Flow Chart:** The commission is working on a flow chart following Madison County's process and adding city code for the council to review.

**Pop Shop:** There is some interest of a pop shop using the old Maverik property on Center Street.

**OLD FARM ESTATES DIVISION #4 FINAL PLAT:** The council tabled the final plat until the next council meeting. City Engineer Dick Dyer approved the final plat application with one condition that the long thin lot be labeled as open space and donated to the city as most advantageous to their taxes. There are seven technical errors that will be corrected on the map for the next meeting. The final plat does not need to go back to Planning and Zoning.

**MOTION:** It was moved by Councilwoman Ball and seconded by Councilwoman Nielsen to table the item until the next council meeting; motion carried.

#### **PUBLIC COMMENT:**

**Dave Ogden:** Former Sugar City Mayor Dave Ogden gave a brief history of the lawsuit brought against the city by part of the council while he was mayor. According to Mr. Ogden, the city did not pay the late Councilman Vaun Waddell's legal fees because he refused to sign the agreement. Mr. Ogden is very concerned with the proposal to go back and pay part of his attorney fees now.

**VAUN WADDELL'S LEGAL FEES PARTIAL PAYMENT:** Tabled without objection at the beginning of the meeting.

#### **GENERAL BUSINESS:**

**Committees:** The council will review the committee descriptions and decide which committees will be formed by resolution. The mayor will prepare a draft to help with committee structures and if they will be governed by code or resolution. Councilwoman Ball will update the Historic Preservation Commission's description. City Attorney Chase Hendricks will research the requirements for the Historic Preservation Commission for the next council meeting.

**Dog Licenses:** The council reviewed resident Mychelle Eaton's suggestions for simplifying dog licenses and requirements. They would like to simplify the dog licensing procedure to a one time dog tag fee and larger fines for code violations, especially multiple violations. The tags will only be changed as needed instead of every year. City Code Enforcement Officer Jon Turner will prepare a document for the next council meeting.

#### **CALENDARED ITEMS:**

##### **Second Discussion –**

**Water/Sewer Fee Code Amendments:** City Engineer Dick Dyer is working with Clerk McLaughlin to update and amend the water/sewer fee code amendments. He made a few revisions for the council to review for the next meeting. He will need more time to do an in-depth review.

##### **Third Discussion -**

**Building Code Updates:** The Council approved the Building Code revisions.

Ordinance No. 361\_2021 was introduced to the council:

**“AN ORDINANCE OF THE CITY OF SUGAR CITY, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, ADOPTING THE 2018 VERSION OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, PARTS I-IV AND IX, THE INTERNATIONAL ENERGY CONSERVATION CODE, THE INTERNATIONAL EXISTING BUILDING CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL FIRE CODE (WITH STATE FIRE MARSHAL AMENDMENTS), AND THE INTERNATIONAL FUEL GAS CODE ALONG WITH THE 2017 IDAHO STATE PLUMBING CODE AND 2017 NATIONAL ELECTRICAL CODE; PROVIDING EXCEPTIONS AND AMENDMENTS THERETO; PROVIDING FOR FEE; PROVIDING FOR EXEMPTIONS; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCES AND PROVIDING AN EFFECTIVE DATE.”**

It was moved by Councilwoman Nielsen and seconded by Councilwoman Fogle to adopt this ordinance. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Davis, Fogle, and Nielsen

Those voting nay: None

Ordinance No. 361\_2021 was thereupon declared by the mayor to have been duly passed by not less than two-thirds of the council. The clerk will publish Ordinance No. 361\_2021 in summary or full immediately in at least one issue of the *Standard Journal*, a newspaper published in the city of Rexburg, Madison County, Idaho.

#### **EXECUTIVE SESSION:**

8:40 P.M. It was moved by Councilwoman Nielsen and seconded by Councilwoman Fogle to move into executive sessions pursuant to Idaho Code 74-206(1)(a), “Hiring an individual agent, whose qualities are to be evaluated in order to fill a particular vacancy or need; not to fill a vacancy in an elective office or deliberate staffing needs in general”. Motion carried. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilors Ball, Dayley, Fogle, and Nielsen

Those voting nay: None

Thereupon, the mayor declared the motion passed.

9:07 P.M. The executive sessions ended for Idaho Code 74-206(1) (a). No decisions were made and there was no deliberation.

**PLANNING AND ZONING LAND USE CONSULTANT:** The council tabled this item until the next meeting in order to revise the land use consultant contract to include a no-fault separation clause and to add additional wording to more clearly include the land use consulting as part of the scope of work.

## **MAYOR AND COUNCIL REPORTS:**

**Madison County Sheriff's Office:** The mayor met with the Madison County Sheriff's office about a possible sheriff's office building in the Business Park. The city owns about a third of the value of the adjacent lot they are considering. The city will put a hold on the property and give the city's interest to the Sheriff's office.

## **COUNCILWOMAN NIELSEN:**

**AIC Water Training:** Councilwoman Nielsen reported that she attended virtually the water training course sponsored by the Association of Idaho Cities (AIC). She felt the training was worthwhile and insightful. With current technology it is possible to take samples from the waste water system and tell how many have COVID and who. She is grateful that Sugar City doesn't have its own sewage treatment center because of all the paperwork involved.

Meeting adjourned at 9:17 p.m.

Signed: \_\_\_\_\_  
Steven Adams, Mayor

Attested: \_\_\_\_\_  
Wendy McLaughlin, Clerk-Treasurer